

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MORGAN COYNE,

Plaintiff,

vs.

PARK SIDE FINANCIAL CREDIT
UNION, TROY BRACKEY, and
CAROL BENIGER,

Defendants.

CV 25-96-M-DWM

ORDER

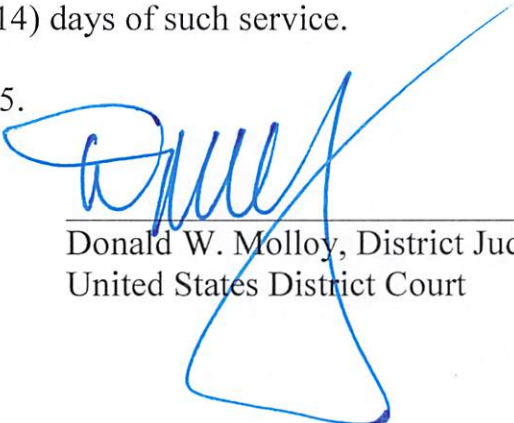
On June 24, 2025, Plaintiff Morgan Coyne, proceeding *pro se*, filed suit against Defendants Park Side Financial Credit Union, Troy Brackey, and Carol Beniger alleging “recission for failure of consideration and fraudulent inducement” (Count I), unjust enrichment (Count II), and constructive fraud and breach of equitable duty (Count III), and requesting “restitution under quantum meruit” (Count IV) and injunctive relief (Count V). (Doc. 2.) These allegations arise out of a financing agreement between Coyne and Defendant Park Side Financial Credit Union entered into on September 10, 2022, for the acquisition of a 2022 Tracer 260BHSLE vehicle. (*Id.*) On June 24, 2025, Coyne also filed a motion for a temporary restraining order, (Doc. 3), a motion for preliminary injunction, (Doc.

4), and a “Notice of Emergency and Certification of Irreparable Harm[.]” (Doc. 5). Having failed to properly proceed *in forma pauperis* or pay the civil filing fee, the Court ordered Coyne to either file a Non-Prisoner Application to Proceed In District Court without Prepaying Fees or Costs, or pay the filing fee by July 10, 2025. (Doc. 8.) On July 9, 2025, Coyne paid the civil filing fee. On July 10, 2025, Coyne’s request for a temporary restraining order was denied. (Doc. 9.) His motion for preliminary injunction is pending.

Accordingly, IT IS ORDERED that Coyne must serve each named Defendant with a summons and copy of the Complaint, (Doc. 2), his Notice and Certification, (Doc. 5), the Order denying his request for a temporary restraining order, (Doc. 9), and the motion for preliminary injunction, (Doc. 4), on or before July 22, 2025. Coyne must file proof of such service on or before July 29, 2025. Failure to serve Defendants or file proof of service may result in dismissal of the above-captioned case without notice to Coyne.

IT IS FURTHER ORDERED that once served Defendants must brief the preliminary injunction within fourteen (14) days of such service.

DATED this 15th day of July, 2025.



Donald W. Molloy, District Judge
United States District Court